

Message Text

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ACTION IO-14

INFO OCT-01 ISO-00 ACDA-19 CIAE-00 DODE-00 PM-07 H-03

INR-10 L-03 NSAE-00 NSC-07 PA-04 RSC-01 PRS-01 SP-03

SS-20 USIA-15 AF-10 ARA-16 EA-11 EUR-25 NEA-10 OIC-04

DRC-01 /185 W

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P 090021Z APR 74

FM USMISSION USUN NY

TO SECSTATE WASHDC PRIORITY 3417

C O N F I D E N T I A L USUN 1178

E.O. 11652: GDS

TAGS: UN PFOR

SUBJ: DEFINITION OF AGGRESSION

REF USUN 1025

1. CONTACT GROUP MET TWICE ON SUNDAY WITHOUT ANY CONCLUSIVE RESULTS.

2. AT OPENING MONDAY SESSION, CHAIRMAN BROMS (FINLAND) PROPOSED COMPROMISE FORMULATIONS FOR ARTS 2 AND 5 DESIGNED TO BREAK CURRENT IMPASSE IN COMITE. BROMS' DRAFT OF ART 2 DELETES REFERENCE TO "PURPOSES" BUT RETAINS "IN CONTRAVENTION OF THE CHARTER" AND "PRIMA FACIE". SOVIETS, OTHER SIX POWERS AND NON-ALIGNED MODERATES HAVE NO TROUBLE WITH THIS, BUT RADICALS HAVE OBJECTED TO RETENTION OF "IN CONTRAVENTION". MEXICO, ECUADOR, ROMANIA, MADAGASCAR AND SPAIN INTRODUCED COUNTER-PROPOSAL WHICH DELETED BOTH "PURPOSES" AND "PRIMA FACIE EVIDENCE", THUS STATING FLATLY THAT FIRST USES OF FORCE "SHALL CONSTITUTE" AGGRESSION. US RESPONDED BY RE-INTRODUCING ITS 1972 TEXT (CONTAINED IN US DEL POSITION PAPER) FOR THE RECORD. BROMS URGED ALL SIDES RECONSIDER AND INDICATE BY 9 APRIL WHETHER THEY COULD ACCEPT HIS PROPOSAL AD REFERENDUM.

3. LAMPTEY (GHANA), AL QAYSI (IRAQ) AND SANDERS (GUYANA) ATTACKED
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RADICAL DELS AS IRRESPONSIBLE AND BENT ON WRECKING ENTIRE DRAFT.

WE WATCHED WITH WHAT WE HOPE WAS WELL-CONCEALED AMUSEMENT.

4. BROMS' DRAFT OF ART 5 WOULD FOLLOW THE SUBSTANCE OF THAT REPORTED IN PARA 3 OF REFTEL, WITH PHRASE "TO STRUGGLE BY ALL LEGITIMATE MEANS AT THEIR DISPOSAL" REPLACED SIMPLY BY "TO STRUGGLE" (QUALIFIED, OF COURSE, BY PHRASE "IN ACCORDANCE WITH" CHARTER AND FRIENDLY RELATIONS DECLARATION).

THIS DELETES WORD "LEGITIMATE", AND ALSO DELETES PHRASE "BY ALL MEANS AT THEIR DISPOSAL" STRONGLY URGED BY RADICAL NON-ALIGNED. BROMS WILL ASK ALL SIDES TO INDICATE ON 9 APRIL WHETHER THEY WOULD OBJECT TO THIS. OTHER SIX POWERS HAVE TOLD US THEY CAN ACCEPT.

5. WE WILL CONTINUE TO TRY FOR IMPROVEMENTS TO THESE TEXTS. HOWEVER, IF THIS PROVES IMPOSSIBLE, AND IF NON-ALIGNED PREPARED TO ACCEPT BROMS FORMULATIONS, WE PLAN, IN ACCORDANCE WITH MATHESON/ STOWE/SCHWEBEL/ROSENSTOCK TELECONS, TO RAISE NO OBJECTION TO BROMS PACKAGE, SUBJECT TO APPROPRIATE DRAFTING CHANGES TO INTRODUCTORY LANGUAGE OF ART 3. AT THIS POINT IT NOT CERTAIN WHETHER RADICAL NON-ALIGNED WILL ACCEPT BROMS PACKAGE BUT IT SEEMS UNLIKELY THEY CAN WITHSTAND PRESSURE OF LAMPTEY, AL QAYSI, SANDERS AND SOVIETS.
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